G. R. S. IX-5]

p18

Previous references.
Gono G202-21 d/ 4-10-19
vol 163-18-2
police 22-11-1
Ctc 73-12(1-6) (police)
Later references.
Pol 108-24(1-2)
" 218-30-1-8

1919.

File No. 154-19

Serial Nos. 182

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for August 192

SUBJECT.

Empowering divisional Inspectors in enquiries.

(2) To, The Registrar, Chief Court of Mysore
" Dcs of Bangalore & Kolar
" I. G of police
" No G4560-63 d/ 26-

Empowering in the matter of holding inquests in the Cities of Bangalore

WD 2233- GPE—20,000—14-6-20

1/11/20.

G. R. S. IX-5]

Previous references.
Gono G202-21 dj 4-10-19
pol 163-18-2
police 22-11-1
Gen 73-12(1-6) (police)
Later references.
Pol 108-24(1-2)
" 218-30-1-8

1919.

File No. 154-19

Serial Nos. 102

Preserve
25/2/42

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for August 1920

SUBJECT.

Empowering divisional Inspectors to hold inquests.

(2) To, The Registrar, Chief Court of Mysore.
" Obs of Bangalore & Mysore
" I. G of police
" No G4560-63 dj 26-8-1920

Issues orders in the matter of holding the inquests in the Cities of Bangalore & Mysore.

WD 2238—GPB—20,000—14-6-20

1/11/20.

G. R. S. III—1] 1919

GENERAL AND REVENUE SECRETARIAT.

(Police.)

NOTES.

File No. 15-4-19

FILE HEADING.

Empowering Divisional Inspectors to hold inquests.

From The D. G. of Police in Mysore.

No. C 1438/19-20 Dated 23. 3. 1920 Received 26. 3. 1920

Diary No. 1945	Enclos. — Spare Copies. —	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Recommends that the divisional Inspectors of the Bangalore City Police may be empowered to hold inquests in their respective divisions, as in the Mysore City & that the orders of 1913, as regards Mysore, may be suitably modified.

NOTES AND ORDERS.

G. In G.O. No. J/292-4/Police 22-11-1911 dated 19th July 1911, Govt directed the Chief Inspector of the Bangalore City Police to hold all inquests throughout the area of the Bangalore City & that

NOTES—First Sheet.

7645

(2)

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 154 of 1919.

Serial No.

H.

the Divisional Inspectors of the respective Divisions should attend to this work in his unavoidable absence.

2) In the case of the Mysore City it was the A.S.P. who had to look after this duty as per G.O. No. J 915-7X/Pts 73-12-6 dt 13th Septr 1913.

3) The practice actually in existence is that the Divisional Inspectors are doing this work in Mysore.

4) Now that the appointment of the Chief Inspector of the Bangalore City Police has been abolished owing to the creation of an A.S.P for the Bangalore City the D. G. of Police requests that the G.O. of 15th July 1911 be modified & also that of 13th Septr 1913 applicable to the Mysore city

5) Submitted for orders.

Sdd

29/3

III Member

D. M. 6/4

6) There is no great advantage in

5511
7.4.20

NOTE—Contn. sheet.

Serial No.

Magistrate holding inquest which has not been noticed in any of the Enclosures.

The statements made by a Magistrate at the inquest have a greater value than the statements made when the Police and the Coroner's Jury are assembled in Court. In many cases a Magistrate almost makes a Coroner's Jury first class and his only Evidence obtained at the Coroner's Jury will be the Coroner's statement. The Police of the Police Courts & the only ones required to hold inquests. Their Evidence will be last when prosecuting. His aspect of the case might as well be brought when making the P.C. R.

7) What is the meaning & empowering of Police Courts & Inspectors - above with the power to hold inquests under Sect. 174. The power already rests in their hands the provision of the Code provides for a Police Court to hold inquests only in the case & death in any particular case & informed his upon the decision Magistrate the Sub-Divisional Magistrate -

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 1345 of 191 9

Serial No.

31943

the cannot hold inquest unless that he can form final view hold a person guilty.

8) The whole question may be summed up and an exhaustive note submitted after consultation with the

9) Draft Subd.

17/6 The file may perhaps be sent U.O to the Hy of Police for favor of remarks

11) Forwarded U.O. with compliments to the Inspector General of Police for favour of any remarks.

R.O.
Mahadevan
for Chief Sec to Govt
26.4.20

12) As the 3rd Member of Council points out it would no doubt be advantageous for the prosecution if Magistrates held inquests. As it will be inconvenient for a Magistrate who has to hold his Court and try cases every day, to hold inquests also,

No. 55-9
Protection
28.4.920

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 1764/5 of 191 4

(14

Serial No.

31943

ER
Secretariat
28 MAY 1920

Eco. No. 55-4
Protection
28.4.20

he cannot be request in the hope that he can pass punishment under s held a person guilty.

8) The whole question may be examined here and an exhaustive note submitted after consultation with the I.G.P.

9) Draft Subd.

17/6

10) The file may perhaps be sent U.O to the Dy of Police for favour of remarks

17/4

11) Forwarded U.O. with compliments to the Inspector General of Police for favour of any remarks.

R.O.
Dharmawardana
In charge of Govt
26 Apl 20

12) As the 3rd Member of Council points out it would no doubt be advantageous for the prosecution if Magistrates held inquests. As it will be inconvenient for a Magistrate who has to hold his Court and try cases every day, to hold inquests also,

NOTE—Contn. sheet.

Serial No.

Coroners have been appointed for this latter purpose in important places like Bombay and Calcutta. There is no Coroner even in Madras. I remember in Bangalore about 10 or 12 years ago the City Magistrate had to hold all inquests. Perhaps on account of the inconvenience referred to above the Police were authorized to hold inquests.

13) In clear cases of accident, suicide etc., a Coroner's enquiry cannot be said to be absolutely necessary. Such enquiry would no doubt be useful in cases of suspicious deaths. The numbers of inquests held in Bangalore and Mysore Cities in last ~~five~~ four years are given below:-

	Year	Murders	Suicide.	Drowning.	Other causes.	Total
Mysore City.	1915-16	-	4	22	18	44
	1916-17	-	12	13	13	38
	1917-18	-	9	13	9	31
	1918-19	2	6	19	19	46
Bangalore City.	1915-16	1	14	32	5	52
	1916-17	8	15	28	8	59
	1917-18	6	7	32	14	59
	1918-19	2	7	38	10	57

14) It will be seen that the No. of suspicious deaths is not very large.

15) The law requires that at the Inquest the witnesses examined are to tell the truth (Vide section 175 of Criminal Procedure Code) Furth

NOTE—Contn. sheet.

Serial No.

if the Police think it necessary they might get the statements of witnesses recorded by a Magistrate under section 164 of the Criminal Procedure Code. Government Order of 19th July 1911 directs that City Magistrate should exercise his powers under section 176 of the Criminal Procedure Code in important cases and hold inquests.

16) In these circumstances it seems to me that the appointment of Coroners is not urgently called for.

17) A reference to empower the Divisional Inspectors to hold investigations under section 174 was made in order that the Assistant Superintendent of Police may devote all his time to the important work of supervising the detection of crime, and his present duty of conducting investigation under section 174 in very often simple and unimportant cases may be entrusted to Inspectors who if they worked in Taluks would hold inquests in serious cases etc.,. The Assistant Superintendent of Police has to use his discretion and hold inquests in important cases himself.

20/5/20

Inspector General of Police.

Subd 27/5

18) Please put up a comprehensive note as ordered in para 8 above

3/6

Note—Contn. sheet.

General and Revenue Secretariat. | OL File No. 124 of 1919.

Serial No.

19) Power to hold inquests in the city of Bangalore is vested in the following Officers by an order dated 19. 7. 1911

1) The city Magistrate in important cases only

2) The City Inspector throughout the city under Section 174(1) Cr. P. C

3) The Inspector in charge of the division during the unavoidable absence of the City Inspector.

20) A similar power is vested in the following officers in the city of Mysore by an order dated 13. 9. 1913.

1) The city Magistrate in important cases

2) The A. S. P in all the cases throughout the city

3) The Inspector in charge of the division during the absence of the A. S. P.

21) The place of the City Inspector in B. city has been replaced by an A. S. P.

22) The Dy. Commr thereforo recommends that the power to hold inquests

163-18-2

NOTE—Contn. sheet.

17665 (8

General and Revenue Secretariat. | PR File No. 154 of 1912.

Serial No.

may be given to the A.S.P & the G.O suitably altered.

23) The D. G. P in forwarding the recommendation of the Dy. Commr for approval suggests that in view of the fact that the rule of the above G.O has been in practice in regard to Trivandrum the work on the Dist Inspectors alone, the G.O may be suitably altered to vest the power of holding inquests on the Dist Inspectors Generally in exceptional cases on the A.S.P's. Orders are solicited on this point.

para 2 of P.H.D

24) As regards the general question of desirability of investing Police officers with this power, it has been fully discussed by the second member in paras 14-15 of the notes in Police file No 22 of 1911 SG1

Submitted.

The discussions explain why the present practice exists in Bangalore & Mysore cities.

25) The points raised by the III Member of Council have been already dealt with in the Un-official note of the D.G of Police.

App 1676

26) Please put the above note typed

D. M. 10/7

NOTE—Contn. sheet.

Recd 12/7

Typed 12/7

G. R. S. III-2)

17645

(7

General and Revenue Secretariat. | P&R File No. 154 of 1917.

Serial No. 7

Sub. The note is typed & a copy put up.

ADC 1417

Note—Contn. sheet.

Serial No.

28) Power to hold inquests in the City of Bangalore is vested in the following officers by an order dated 19-7-1911.

(1) The City Magistrate in important cases only;

(2) The Chief Inspector throughout the City under Section 174(1) Cr.P.C.;

(3) The Inspector in charge of the Division during the unavoidable absence of the Chief Inspector.

29) A similar power is vested in the following officers in the City of Mysore by an order dated 13th September 1913.

(1) The City Magistrate in important cases,

(2) The Assistant Superintendent of Police in all other cases throughout the City,

(3) The Inspector in charge of the Division during the absence of the Asst. Supdt. of Police.

30) The place of the Chief Inspector in Bangalore City has been replaced by an Asst. Supdt. of Police.

31) The Deputy Commissioner therefore recommends that the power to hold inquests may be given to the Asst. Supdts of Police and G.O. 16 suitably modified.

32) The Inspector General of Police in forwarding the recommendation of the Deputy Commissioner for approval suggests that in view of the fact that the net result of the above G.Os. has been in practice,

Para 2 of P.W.D

NOTE—Contn. sheet.

in

Serial No.

in Mysore, to throw the work on the Divisional Inspectors alone, the Government orders may be suitably ~~modified~~ altered to vest the power of holding inquests on the Divisional Inspectors generally and in exceptional cases on the Assistant Superintendent of Police. Orders are solicited on this point.

33) As regards the general question of investing Police officers with this power, it has been fully discussed by the Second Member in paras 14-15 of the Notes in Police file No.22 of 1911, Sl.1

The disucssions explain why the present practice exists in Bangalore and Mysore Cities.

34) The points raised by the III Member of Council have been already dealt with in the Unofficial Note of the I.G. of Police.

35) Submitted for orders with reference to paras 8 above.

D. M. 15/7

36) III Member. ~~The Divisional Inspectors and are more [illegible] places & they may be entrusted with this work & Conducting inquests in normal Inquests may be Conducted in the Cities & Bangalore cases by the Divisional Inspectors~~ orderlies, but this does not relieve the ASP's of their duty to watch & supervise the proceedings. In important cases the ASP should himself be present & take up the investigation & in important cases he & the Dy. Magistrate should be called for.

466/1917/20

37) Draft please

D. M. 20/7

Mr Porter 20/7

NOTE—Contn. sheet.

1645

(12

R. S. III-21

General and Revenue Secretariat. | Pol File No. 157 of 1919.

Serial No.

38) Draft is submitted

Pol 22/7 Apr 28/7

39) Please put up a typed draft as revised.

D. M. 29/7

Apr 28/7 Submitted 28/7

40) Typed draft is submitted

Pol 30/7 Apr 30/7

41) Draft is now submitted for orders

D. M. 3/8

III Member -

864 3.8.20

42) See his additions & alterations made in the draft. Is there any thing in the notes already issued against his name which he desires to be done in his case.

Sd/

Read 10/8

43) Sybd. Kind reference is invited to para 3 of Govt. no 9282-4 dt 19.7.1911 and the third Member's minute in para 14 of the office notes in Pol file 22-11.

D. M. 9/8

Apr 10/8

III Member - Pl see as revised. Pl see all papers & may issue

D. M. 12/8

1118 13-8-20

14/8

Pol 16/8/20

May issue

D. M. 16/8

D. M. 17/8

NOTE—Cover sheet.

DEWAN'S OFFICE. Recd. on AUG 17 1920 Reg. No. 1164

(13)

G. R. S. III-2]

17645

General and Revenue Secretariat. | Police File No. 154 of 1919

Serial No.	
2	To The Registrar of the High Court The S.P.s Police The Dcs of Bangalore and Mysore &c. No. 4560-3 Dt. 26-8-1920. Issues orders in the matter of holding the inquests in the cities of Bangalore and Mysore.

Vide Secl
Please enter in Year Conference
W.S. Book
Yes
Noted
Secl 28/10
F.I.A.T.
III
28/10

OH PROTECTION BRANCH
30 OCT 1920

NOTE—Contn. sheet.

(13)

17645

G. R. S. III-21

General and Revenue Secretariat.

Police File No. 154 of 1919

Serial No.		
2	30	The Asst Secretary to G. of M. Police to D.C.'s Bangalore and Salem &c. No. 4560-3. Issues orders in the matter of holding the inquests in the cities of Bangalore and Salem.

No. C-2438/19-20 Office of the Inspector General of Police in Mysore

Dated Bangalore the 23rd. March 1920.

17648

Police 152-19-1

From

A. Subrahmanya Iyer Esquire B.A.,

Offg. Inspector General of Police in Mysore

To

C.S.Balasundaram Iyer Esquire B.A.,

Chief Secretary to the Government

of His Highness the Maharaja of Mysore.

Sir,

I have the honour to state that the Deputy Commissioner, Bangalore District, reports that the Chief Inspector in Charge of Bangalore City Police who as per para 2 of Government Order No. J 292-4/Police 22-11-1 dated 15th. July 1911, was holding investigations under section 174 C.P.C., has been replaced by an Assistant Superintendent of Police and recommends that the Divisional Inspectors might be empowered to hold inquests within the limits of their respective divisions as is the case in Mysore City.

2. Government Order No. J.915-17/Cts 73-12-6 of the 13th. September 1913 is to the effect that in Mysore, the Assistant Superintendent of Police should make investigation under section 174 C.P.C. and in his unavoidable absence the Divisional Inspectors hold the investigations. In practice, the Divisional Inspectors have been holding all the investigations now.

3. It seems to me that the rule should be that the Divisional Inspector is to hold, and the exception, that the Assistant Superintendent of Police should hold. Of course important cases will be dealt with by the Assistant Superintendent of Police himself and any Assistant Superintendent of Police that does not rightly exercise his discretion will render himself liable to be censured or otherwise dealt with.

From

The Inspector General of Police

in Mysore

To

The Chief Secy. to Government

of Mysore, Bangalore

Dated 23rd. March 1920.

Despatched

No. C-2438/4-20

Recommends that Divisional Inspectors might be empowered to hold inquests in Bangalore

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15

4. I, therefore, recommend that the orders of 1913 as regards Mysore, might be modified to suit the practice which is convenient and a similar order passed as regards Bangalore also.

I have the honour to be,

S I R,

Your most obedient servant,

for Offg. Inspector General of Police.
Absent from Station

Passes orders in the matter of the holding of inquests in the cities of Bangalore & Mysore.

16

8/6

No. Police 154-19-

Proceedings of the Government of H.H. the Maharaja of Mysore.

****

Read.

Govt. Order No.J.292-4/Police 22-11-1 dated 19th July 1911, empowering the Chief Inspector of Police, Bangalore City and in his unavoidable absence the Divisional Inspector, to make investigation under section 174 (1) Criminal Procedure Code, the City Magistrate taking part in inquests only in such important cases as may require his intervention.

2. Govt. Order No.J.915-17/Cts.73-12-6 dated 13th September 1913, issuing similar instructions regarding the holding of inquests in the Mysore City, the Assistant Superintendent there exercising the powers entrusted to the Chief Inspector in Bangalore City.

3. Govt. Order No.G.202-211/Police 163-18-2 dated 4th October 1919, sanctioning, among other things, the appointment of an Assistant Superintendent of Police for the Bangalore City.

4. Letter No.C.2438/19-20, dated 23rd March 1920 from the Inspector General of Police in Mysore, recommending that the power to hold inquests in the Bangalore City may be given to the Assistant Superintendent of Police who has taken the place of the Chief Inspector, and suggesting that the Govt. Orders of 19th July 1911 and 13th September 191

may be modified so as to entrust the work of holding inquests to the Divisional Inspectors generally and in exceptional cases to the Assistant Superintendents of Police.

Order No. Ls.4560-3 Police. 154-19-2

Dated, 26/8 1920.

In modification of their orders of 19th July 1911 and 13th September 1913 read above Govt are pleased to direct that inquests in the cities of Bangalore and Mysore be conducted by the Divisional Inspectors in ordinary cases, in their respective jurisdictions, in accordance with the provisions of the Code of Criminal Procedure, ~~the proceedings being subject to the vigilance and supervision of the Assistant Superintendents of Police~~. In all other cases the investigation should be taken up by the Assistant Superintendents of Police themselves, ~~the assistance of the City Magistrates being resorted to in very important cases~~.

For Chief Secretary to Govt.

To

The Registrar, Chief Court of Mysore.
The Deputy Commissioners of Bangalore and Mysore Districts.
The Inspector General of Police in Mysore.

The

S. O.

Inquests in the Cities of Bangalore and Mysore.

No. G. 4560-63—Pol. 154-19-2, dated 26th August 1920.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS

Read—

Government Order No. J. 292-4—Pol. 22-11-1, dated 19th July 1911, empowering the Chief Inspector of Police, Bangalore City, and in his unavoidable absence the Divisional Inspector, to make investigation under Section 174 (1), Criminal Procedure Code, the City Magistrate taking part in inquests only in such important cases as may require his intervention.

2. Government Order No. J. 915-17- Cts. 73-12-6, dated 13th September 1913, issuing similar instructions regarding the holding of inquests in the Mysore City, the Assistant Superintendent there exercising the powers entrusted to the Chief Inspector in the Bangalore City.

3. Government Order No. G. 202-211—Pol. 163-18-2, dated 4th October 1919, sanctioning among other things, the appointment of an Assistant Superintendent of Police for the Bangalore City.

4. Letter No. C. 2438—19-20, dated 23rd March 1920, from the Inspector-General of Police in Mysore, recommending that the power to hold inquests in the Bangalore City may be given to the Assistant Superintendent of Police, who has taken the place of the Chief Inspector, and suggesting that the Government Orders of 19th July 1911 and 13th September 1913, may be modified so as to entrust the work of holding inquests to the Divisional Inspectors generally and in exceptional cases to the Assistant Superintendents of Police.

Order No. G. 4560-63—Pol.—154-19-2, dated 26th August 1920.

In modification of their Orders of 19th July 1911 and 13th September 1913 read above, Government are pleased to direct that in the Cities of Bangalore and Mysore, investigations under Section 174, Criminal Procedure Code, shall ordinarily be conducted by the Divisional Inspectors within their respective jurisdictions and that in important cases, the Assistant Superintendent of Police alone shall conduct the investigation, the assistance of the City Magistrate duly empowered under clause 5 of Section 174, being resorted to in all cases requiring careful and delicate handling. This ought not to be taken as interfering with the discretion of the Magistrates to hold inquests *suo moto* under Section 176, Criminal Procedure Code.

C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

To—The Registrar, Chief Court of Mysore.
The Deputy Commissioners of Bangalore and Mysore Districts.
The Inspector-General of Police in Mysore.

Exd.—C.R.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. G. 4560-63—Pol. 154-19-2, dated 26th August 1920.

Inquests in the Cities of Bangalore and Mysore.

Issues orders in the matter of holding the ——.

W D 449—GPB—8-9-20—305.